



The New America School-Las Cruces  
207 S. Main Street  
Las Cruces, NM 88001  
(575) 527-9085  
[www.newamcrischoolnm.org](http://www.newamcrischoolnm.org)

Hon. Jared Polis, Founder  
John Muñoz, President  
Margarita Porter, Principal

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## Letter of Appeal

January 18th, 2016

Letter of Appeal  
Schools and Libraries Division – Correspondence Unit  
Attn: Letter of Appeal  
30 Lanidex Plaza West  
P.O. Box 685  
Parsippany, New Jersey 07054-0685  
[appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org)

Billed Entity Name: The New America School – Las Cruces  
BEN: 16067291  
Funding Year: 2015-2016

Form 471#: 1026869  
FRN: 2844866  
Service Provider Name: CenturyLink Qwest Corporation  
Service Provider SPIN: 143005231

Form 471#: 1026869  
FRN: 2845034  
Service Provider Name: CenturyLink Qwest Corporation  
Service Provider SPIN: 143005231

Form 471#: 1026869  
FRN: 2845190  
Service Provider Name: CenturyLink Qwest Communications Company  
Service Provider SPIN: 143001157

Form 471#: 1026869  
FRN: 2845637  
Service Provider Name: CenturyLink Qwest Communications Company  
Service Provider SPIN: 143001157

Form 471#: 1026869  
FRN: 2849098  
Service Provider Name: Verizon Wireless (Cellco Partnership)  
Service Provider SPIN: 143000677



The New America School-Las Cruces  
207 S. Main Street  
Las Cruces, NM 88001  
(575) 527-9085  
[www.newamericaschoolnm.org](http://www.newamericaschoolnm.org)

Hon. Jared Polis, Founder  
John Muñoz, President  
Margarita Porter, Principal

**CONTACT PERSON:**

Name: Christina Montoya  
Address: 207 S. Main St. Las Cruces, NM 88001  
Phone: (575) 527-9085  
FAX: (575) 527-9153  
E-mail: [cmontoya@newamericaschoolnm.org](mailto:cmontoya@newamericaschoolnm.org)

*This appeal is in response to the Letter of Funding Commitment Decision dated July 17, 2015 referencing Funding Year 2015: July 1, 2015 - June 30, 2016*

**APPEAL RATIONALE:**

I am writing to request an extension to our 2015 BEAR forms. We submitted an appeal regarding this on December 20th, 2016 but were asked to request invoice extension for our FRNs in our dismissal letter. I have done so and have attached this documentation. I have also attached documentation on our appeal to the FCC as stated by support.

Our school's primary E-Rate coordinator is no longer working for us. He left in June of 2016 and the position was assigned to me the following month. Due to this, we are in the process of learning the E-Rate rules and duties for our school. On Friday, October 28<sup>th</sup>, we filed for a BEAR extension for our FRNs via the "Submit a Question" link on the SLD website as well as through the Invoice Deadline Extension site. It has come to our attention that we made a clerical mistake. Instead of submitting extension requests for the 2015-2016 FRNs, we submitted requests for the 2016-2017 FRNs. This in turn did not allow us to obtain a BEAR form extension for our 2015-2016 FRNs. This was not our intention and we truly do wish to submit BEAR extensions for our 2015-2016 FRNs listed above. I have attached our case #'s with USAC showing when we requested the extension as well as the emails stating that the requests were made successfully. I respectfully ask that you please consider granting us the extension for the 2015-2016 FRNs listed above as this was clerical error on our part.

Thank you for your consideration of the appeal.

Christina Montoya  
Assistant Principal  
The New America School - Las Cruces

Christina Montoya  
New America School Las Cruces  
207 S.Main Street  
Las Cruces, NM 88001

Billed Entity Number: 16067291  
Form 471 Application Number: 1026869  
Form 486 Application Number:

Schools and Libraries Division  
Universal Service Administrative Company





Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2015-2016**

January 13, 2017

Christina Montoya  
New America School Las Cruces  
207 S.Main Street  
Las Cruces, NM 88001

Re: Applicant Name: NEW AMERICA SCHOOL LAS CRUCES  
Billed Entity Number: 16067291  
Form 471 Application Number: 1026869  
Funding Request Number(s): 2844866, 2845034, 2845190, 2845637, 2849098  
Your Correspondence Dated: December 20, 2016

After review of the information and documentation provided, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision regarding your appeal for the FCC Form Application Number and funding request number(s) (FRN(s)) referenced above. This letter provides an explanation for USAC's decision. The date of this letter begins the sixty (60) day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate decision for each funding application.

Funding Request Number(s): 2844866, 2845034, 2845190, 2845637, 2849098  
Decision on Appeal: **Dismissed**  
Explanation:

- You are appealing an extension request for which a decision letter has not yet been issued. Your appeal is premature and is being dismissed. You must first request an invoice extension. Instructions are located on the USAC website at: <http://www.universalservice.org/sl/applicants/step06/invoice-extensions.aspx>. Once you receive a decision, you may submit an appeal.

If you wish to appeal this decision, you may file an appeal pursuant to 47 C.F.R. Part 54, Subpart I. Detailed instructions for filing appeals are available at:  
<http://www.usac.org/sl/about/program-integrity/appeals.aspx>.

We thank you for your continued support, patience and cooperation during the appeal process.

## David Lerma

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**From:** Christina Montoya  
**Sent:** Wednesday, January 18, 2017 11:49 AM  
**To:** David Lerma  
**Subject:** FW: Invoice Deadline Extension Request for 2845190 was denied

**From:** no-reply@solixinc.com [mailto:no-reply@solixinc.com]  
**Sent:** Wednesday, January 18, 2017 11:37 AM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 2845190 was denied

This request does not qualify for a deadline extension under the invoice deadline extension rules because requests for deadline extension are required to be filed before the last date to invoice.

This serves as acknowledgement and denial of your request for a deadline extension for the following FRN: 2845190

### FILING AN APPEAL WITH USAC OR WAIVER WITH THE FCC

**Filing an Appeal:** If you wish to appeal this decision, you must first file an appeal with USAC seeking review before filing an appeal with the Federal Communications Commission (FCC). USAC appeals can be submitted to [Appeals@sl.universalservice.org](mailto:Appeals@sl.universalservice.org) or mailed to Schools and Libraries Program Correspondence Unit, Attn: Letter of Appeal, 30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685.

Once a decision has been made on a USAC appeal, a party may appeal USAC's decision to the FCC.

**Filing a Waiver:** Parties seeking a waiver of the FCC invoicing rule itself should file a waiver request directly with the FCC because USAC cannot waive FCC rules. This would be necessary if, for example, you filed an extension request after the invoice deadline or filed more than one 120-day extension because you need additional time to invoice.

A party may submit a request a waiver to the FCC as a "waiver" in proceeding number 02-6 in the Commission's Electronic Comment Filing System (ECFS), located at <http://apps.fcc.gov/ecfs/upload/display>. If you are submitting your waiver request by mail, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

We strongly recommend that you use the electronic filing options.



## David Lerma

---

**From:** Christina Montoya  
**Sent:** Wednesday, January 18, 2017 11:49 AM  
**To:** David Lerma  
**Subject:** FW: Invoice Deadline Extension Request for 2845637 was denied

**From:** no-reply@solixinc.com [mailto:no-reply@solixinc.com]  
**Sent:** Wednesday, January 18, 2017 11:37 AM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 2845637 was denied

This request does not qualify for a deadline extension under the invoice deadline extension rules because requests for deadline extension are required to be filed before the last date to invoice.

This serves as acknowledgement and denial of your request for a deadline extension for the following FRN: 2845637

### FILING AN APPEAL WITH USAC OR WAIVER WITH THE FCC

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We strongly recommend that you use the electronic filing options.

## David Lerma

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**From:** Christina Montoya  
**Sent:** Wednesday, January 18, 2017 11:49 AM  
**To:** David Lerma  
**Subject:** FW: Invoice Deadline Extension Request for 2844866 was denied

**From:** no-reply@solixinc.com [mailto:no-reply@solixinc.com]  
**Sent:** Wednesday, January 18, 2017 11:38 AM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 2844866 was denied

This request does not qualify for a deadline extension under the invoice deadline extension rules because requests for deadline extension are required to be filed before the last date to invoice.

This serves as acknowledgement and denial of your request for a deadline extension for the following FRN: 2844866

### FILING AN APPEAL WITH USAC OR WAIVER WITH THE FCC

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We strongly recommend that you use the electronic filing options.



## David Lerma

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**From:** Christina Montoya  
**Sent:** Wednesday, January 18, 2017 11:49 AM  
**To:** David Lerma  
**Subject:** FW: Invoice Deadline Extension Request for 2845034 was denied

**From:** no-reply@solixinc.com [mailto:no-reply@solixinc.com]  
**Sent:** Wednesday, January 18, 2017 11:38 AM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 2845034 was denied

This request does not qualify for a deadline extension under the invoice deadline extension rules because requests for deadline extension are required to be filed before the last date to invoice.

This serves as acknowledgement and denial of your request for a deadline extension for the following FRN: 2845034

### FILING AN APPEAL WITH USAC OR WAIVER WITH THE FCC

**Filing an Appeal:** If you wish to appeal this decision, you must first file an appeal with USAC seeking review before filing an appeal with the Federal Communications Commission (FCC). USAC appeals can be submitted to [Appeals@sl.universalservice.org](mailto:Appeals@sl.universalservice.org) or mailed to Schools and Libraries Program Correspondence Unit, Attn: Letter of Appeal, 30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685.

Once a decision has been made on a USAC appeal, a party may appeal USAC's decision to the FCC.

**Filing a Waiver:** Parties seeking a waiver of the FCC invoicing rule itself should file a waiver request directly with the FCC because USAC cannot waive FCC rules. This would be necessary if, for example, you filed an extension request after the invoice deadline or filed more than one 120-day extension because you need additional time to invoice.

A party may submit a request a waiver to the FCC as a "waiver" in proceeding number 02-6 in the Commission's Electronic Comment Filing System (ECFS), located at <http://apps.fcc.gov/ecfs/upload/display>. If you are submitting your waiver request by mail, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

We strongly recommend that you use the electronic filing options.

## David Lerma

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**From:** Christina Montoya  
**Sent:** Wednesday, January 18, 2017 11:49 AM  
**To:** David Lerma  
**Subject:** FW: Invoice Deadline Extension Request for 2849098 was denied

**From:** no-reply@solixinc.com [mailto:no-reply@solixinc.com]  
**Sent:** Wednesday, January 18, 2017 11:38 AM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 2849098 was denied

This request does not qualify for a deadline extension under the invoice deadline extension rules because requests for deadline extension are required to be filed before the last date to invoice.

This serves as acknowledgement and denial of your request for a deadline extension for the following FRN: 2849098

### FILING AN APPEAL WITH USAC OR WAIVER WITH THE FCC

**Filing an Appeal:** If you wish to appeal this decision, you must first file an appeal with USAC seeking review before filing an appeal with the Federal Communications Commission (FCC). USAC appeals can be submitted to [Appeals@sl.universalservice.org](mailto:Appeals@sl.universalservice.org) or mailed to Schools and Libraries Program Correspondence Unit, Attn: Letter of Appeal, 30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685.

Once a decision has been made on a USAC appeal, a party may appeal USAC's decision to the FCC.

**Filing a Waiver:** Parties seeking a waiver of the FCC invoicing rule itself should file a waiver request directly with the FCC because USAC cannot waive FCC rules. This would be necessary if, for example, you filed an extension request after the invoice deadline or filed more than one 120-day extension because you need additional time to invoice.

A party may submit a request a waiver to the FCC as a "waiver" in proceeding number 02-6 in the Commission's Electronic Comment Filing System (ECFS), located at <http://apps.fcc.gov/ecfs/upload/display>. If you are submitting your waiver request by mail, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

We strongly recommend that you use the electronic filing options.



#135630

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## Case Details



Topic Online Navigation Help - Other

Created By USAC

Status Closed

Created On 11/18/2016 10:02 AM MST

Priority Medium

Organization NEW AMERICA SCHOOL LAS CRUCES

Inquiry Type Phone

## Case Description



Description Filed an IDER for the wrong FRN

## Case Artifacts



## Documents

## Attachments

Name	Uploaded By	Upload Date	Attachment	Attachment Type
No items available			No items available	

## Case Thread



User	Note	Date
	Christina,	
	If an invoice deadline extension request is not timely filed, you must first file a waiver request with the FCC and the FCC must grant your waiver request before USAC can extend the invoice deadline.	
USAC	For instructions on submitting a waiver request to the FCC, please see the 1/15/2016 News Brief and scroll down to the heading "All waiver requests filed at FCC": <a href="https://usac.org/sl/tools/news-briefs/preview.aspx?id=657">https://usac.org/sl/tools/news-briefs/preview.aspx?id=657</a>  Additional information about waiver requests to the FCC can be found on the Schools and Libraries website here, under the heading "To File an Appeal with the FCC": <a href="http://www.usac.org/about/about/program-integrity/appeals.aspx">http://www.usac.org/about/about/program-integrity/appeals.aspx</a>	11/18/2016 10:03 AM MST

## Case Contact


Case Contact Christina Montoya



Welcome to the FCC's new Electronic Comment Filing System, ECFS 3.0, launched June 20, 2016. This system contains the entire history of docketed proceedings from 1992 to the present. New submissions here will be added to the public record. We will continue to refine this system in response to user feedback. Please tell us about your experience using this system by sending an email to [ECFSfeedback@fcc.gov](mailto:ECFSfeedback@fcc.gov) (<mailto:ECFSfeedback@fcc.gov>).

## Filing Detail

Filing Detail (/ecfs/filing/112162781446)

 Letter%20of%20Appeal.pdf (/ecfs/filing/112162781446/document/1121627814466158)

<b>ID</b>	112162781446	<b>Proceeding</b>	CC 02-6	
<b>Name of Filer</b>	The New America School Las Cruces	<b>Filing Status</b>	DISSEMINATED	
<b>Type of Filing</b>	WAIVER	<b>Viewing Status</b>		
Unrestricted	<b>Date Received</b>	Nov 21, 2016	<b>Date Posted</b>	Nov 22, 2016
	<b>Address</b>	207 S. Main	<b>City</b>	Las Cruces
NM		<b>ZIP</b>	88001	<b>State</b>

**David Lerma**

---

**From:** sldnoreply@sl.universalservice.org  
**Sent:** Thursday, October 27, 2016 2:12 PM  
**To:** David Lerma  
**Subject:** SLD Inquiry #: 22-918239 Received

Thank you for using Submit a Question. This message serves as a receipt confirmation of your submission.

The case number for your submission is 22-918239.

Please refer to this case number in subsequent contacts regarding this issue. Note that we may need to ask you for additional information to completely answer your question or fulfill your request.

If you still have questions about this issue after you review our response, please call us at 1-888-203-8100. Please do not reply to this message or to our response, as replies go to an unattended mailbox.

If you have a new question or issue, please submit another question and we will create a new case number to address it.

If you need program information, you can visit the SLD web site at [www.usac.org/sl](http://www.usac.org/sl).

Thank you.

Following is the information you submitted:

*[FirstName]=David [LastName]=Lerma [JobTitle]=IT [EmailAddress]=dlerma@newamericaschoolnm.org  
[WorkPhone]=5755279085 [FaxPhone]=5755279153 [PreviousCaseNumber]=0 [FormType]=Invoice  
Extension [Owner]=DEADLINEEXTENSIONS [DateSubmitted]=10/27/2016 4:08:43 PM  
[AttachmentFlag]=N[Question2]=We would like to file an extension for our BEAR form, but we have not  
received a pin yet to do so online. We were told to submit a question in order to request our extension. May we  
do so?*

David Lerma

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From: sldnoreply@sl.universalservice.org  
Sent: Friday, October 28, 2016 1:58 PM  
To: David Lerma  
Subject: SLD Inquiry #: 22-918239 Received

Thank you for using Submit a Question. This message serves as a receipt confirmation of your submission.

The case number for your submission is 22-918239.

Please refer to this case number in subsequent contacts regarding this issue. Note that we may need to ask you for additional information to completely answer your question or fulfill your request.

If you still have questions about this issue after you review our response, please call us at 1-888-203-8100. Please do not reply to this message or to our response, as replies go to an unattended mailbox.

If you have a new question or issue, please submit another question and we will create a new case number to address it.

If you need program information, you can visit the SLD web site at [www.usac.org/sl](http://www.usac.org/sl).

Thank you.

Following is the information you submitted:

[FirstName]=David [LastName]=Lerma [Title]=IT [EmailAddress]=[dlerma@newamericaschoolnm.org](mailto:dlerma@newamericaschoolnm.org)  
[WorkPhone]=5755279085 [FaxPhone]=5755279153 [PreviousCaseNumber]=22-918239  
[DateSubmitted]=10/28/2016 15:58:11 [Question]=Additional information was requested for us to file an extension for our BEAR form: Below are the FRNs we would like to file the extension for: 1699075515 1699112793 1699113017 1699113230 FCC Form 471 161027832 If any additional information is needed, please let me know. My contact information is below: Name: David Lerma Position: IT Email: [dlerma@newamericaschoolnm.org](mailto:dlerma@newamericaschoolnm.org) The New America School - Las Cruces 207 S. Main St. Office (575) 527-9085 Mobile (575) 640-4514 [AttachmentFlag]=N



**Christina Montoya**

---

**From:** no-reply@solixinc.com  
**Sent:** Friday, October 28, 2016 4:49 PM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 1699112793 was approved

Since this serves as approval, an invoice requesting payment must be submitted so that it is postmarked no later than the date found on the USAC website within the Search Tools in order for your request to be considered as timely filed.

Your new deadline is: 2/26/2018

**Christina Montoya**

---

**From:** no-reply@solixinc.com  
**Sent:** Friday, October 28, 2016 4:50 PM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 1699113017 was approved

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Since this serves as approval, an invoice requesting payment must be submitted so that it is postmarked no later than the date found on the USAC website within the Search Tools in order for your request to be considered as timely filed.

Your new deadline is: 2/26/2018

**Christina Montoya**

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**From:** no-reply@solixinc.com  
**Sent:** Friday, October 28, 2016 4:50 PM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 1699113230 was approved

Since this serves as approval, an invoice requesting payment must be submitted so that it is postmarked no later than the date found on the USAC website within the Search Tools in order for your request to be considered as timely filed.

Your new deadline is: 2/26/2018



**Christina Montoya**

---

**From:** no-reply@solixinc.com  
**Sent:** Friday, October 28, 2016 4:50 PM  
**To:** Christina Montoya  
**Subject:** Invoice Deadline Extension Request for 1699113230 was approved

Since this serves as approval, an invoice requesting payment must be submitted so that it is postmarked no later than the date found on the USAC website within the Search Tools in order for your request to be considered as timely filed.

Your new deadline is: 2/26/2018